

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
Sacramento District Office
1750 Howe Avenue, Suite 430
Sacramento, CA 95825
Phone: (916) 263-2800 Fax: (916) 263-2798

Inspection #: 1492135
Inspection Dates: 09/10/2020 - 03/10/2021
Issuance Date: 03/10/2021
CSHO ID: K5926
Optional Report #: 003-21



Citation and Notification of Penalty

Company Name: BRUTOCAO VINEYARDS, INC.
Establishment DBA: BRUTOCAO FAMILY VINEYARDS
and its successors
Inspection Site: Bliss Vineyard-Block B29, 2300 Highway 175
Hopland, CA 95449

Citation 1 Item 1 Type of Violation: **General**

T8 CCR §3441 (a)(2)(B) Operation of Agricultural Equipment.

(a) Operating Instructions and Safe Work Practices.

(2) Agricultural equipment shall be operated in accordance with the following safe work practices and operating rules:

(B) Permit no riders on agricultural equipment other than persons required for instruction or assistance in machine operation.

Prior to and during the course of the inspection, including but not limited to, on September 10, 2020, the Employer did not follow the safe work practices for agricultural equipment. The employer had three employees riding on an agricultural trailer through the vineyard during grape harvest.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$410.00

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Citation 1 Item 2 Type of Violation: **General**

T8 CCR §3457(c)(3)(G)(3) Field Sanitation.

(c) Requirements.

Agricultural operations not involving hand-labor operations shall meet the requirements of Sections 3360-3368.

All other agricultural operations shall meet the following requirements:

(3) Maintenance standards: Potable drinking water facilities, toilet facilities, and handwashing facilities, which are under the control of the employer, shall be serviced and maintained by the employer at all times in accordance with appropriate public health sanitation practices, including the following:

(G) Handwashing facilities shall at all times meet the following standards:

(3) Soap or other suitable cleansing agent and single-use towels shall be provided.

Prior to and during the course of the inspection, including but not limited to, on September 10, 2020, the Employer did not provide soap or other suitable cleansing agent for the handwashing facility located inside one of the portable toilet facilities used by employees working in the vineyard, harvesting grapes.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$750.00

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Citation 2 Item 1 Type of Violation: **Serious**

T8 CCR §3203(a)(6) Injury and Illness Prevention Program.

(a) Effective July 1, 1991, every employer shall establish, implement and maintain an effective Injury and Illness Prevention Program (Program). The Program shall be in writing and, shall, at a minimum:
(6) Include methods and/or procedures for correcting unsafe or unhealthy conditions, work practices and work procedures in a timely manner based on the severity of the hazard:

(A) When observed or discovered; and,

(B) When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, remove all exposed personnel from the area except those necessary to correct the existing condition. Employees necessary to correct the hazardous condition shall be provided the necessary safeguards.

Or, in the Alternative

T8 CCR §5141(a) Control of Harmful Exposure to Employees.

Engineering Controls. Harmful exposures shall be prevented by engineering controls whenever feasible.

Prior to and during the course of the inspection, including, but not limited to September 10, 2020, the employer failed to implement and maintain an effective Injury and Illness Prevention Program (IIPP) in that it failed to effectively implement methods or procedures to correct unhealthy conditions or work practices relating to COVID-19 that affected its employees who were working outside harvesting wine grapes, including, but not limited to:

1. The hazard created by lack of physical distancing of at least six feet in all directions among employees.

2. The hazard created by employees not wearing face coverings to prevent release of potentially infectious particles into the air while working within six feet of each other.

[3203(a)(6)]

Or, in the Alternative

Prior to and during the course of the inspection, including, but not limited to, on September 10, 2020, the employer failed to prevent harmful exposures of employees to infectious or potentially infectious airborne particles by ensuring the use of engineering controls, such as face coverings to limit the release of infectious particles into the air when a person breathes, speaks, coughs, or sneezes to prevent the spread of COVID-19.

[5141 (a)]

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3710.00

Darin Wallace
Compliance Officer / District Manager